

Sale Date: 01/07/2020	Time: 11:00 am
Location: 255 E. Temple Street, Courtroom 1545, Los Angeles, CA 90012	

Last date to file objections: 12/24/2019

960 North Tigertail Road, Los Angeles, CA 90049 (APN: 4494-006-021)

The terms and conditions of the sale are set forth in the notice attached hereto as Exhibit "A"

Proposed sale price: \$ 1,550,000.00

Overbid procedure (if any):

The overbid process is described in the notice attached hereto as Exhibit "A"

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

January 7, 2020

11:00 a.m.

255 E. Temple Street, Courtroom 1545, Los Angeles, CA 90012

Contact person for potential bidders (include name, address, telephone, fax and/or email address):

Christian T. Kim (SBN 231017)

DUMAS & KIM, APC

3435 Wilshire Boulevard, Suite 990

Los Angeles, California 90010

Phone: 213 368 5000

Fax: 213 368 5009

ckim@dumas-law.com

Date: 12/13/2019

EXHIBIT “A”

EXHIBIT “A”

James A. Dumas (SBN 76284)
Christian T. Kim (SBN 231017)
DUMAS & KIM, APC
3435 Wilshire Boulevard, Suite 990
Los Angeles, California 90010
Phone: 213-368-5000
Fax: 213-368-5009

Attorneys for Chapter 7 Trustee,
Carolyn A. Dye

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re:
PETA ELIZABETH GORSHEL,
Debtor.

Case No.: 2:18-bk-12716-NB

[Chapter 7, previously Chapter 11]

[Honorable Neil W. Bason]

**NOTICE OF TRUSTEE'S MOTION FOR
ORDER AUTHORIZING SALE OF REAL
PROPERTY OF THE ESTATE [960 N.
Tigertail Road, Los Angeles, California
90049] FREE AND CLEAR OF LIENS
AND INTERESTS, SUBJECT TO
HIGHER AND BETTER OFFERS, AND
APPROVING OVERBIDDING
PROCEDURES**

Date: January 7, 2020

Time: 11:00 a.m.

**Place: 255 E. Temple Street
Courtroom 1545
Los Angeles, CA 90012**

**TO THE HONORABLE NEIL W. BASON, UNITED STATES BANKRUPTCY JUDGE, THE
DEBTOR AND HER COUNSEL OF RECORD, AND OTHER INTERESTED PARTIES:**

**NOTICE OF TRUSTEE'S MOTION FOR ORDER AUTHORIZING SALE OF REAL PROPERTY OF THE ESTATE [960 N.
Tigertail Road, Los Angeles, California 90049] FREE AND CLEAR OF LIENS AND INTERESTS, SUBJECT TO HIGHER
AND BETTER OFFERS, AND APPROVING OVERBIDDING PROCEDURES**

1 **PLEASE TAKE NOTICE** that on January 7, 2020, at 11:00 a.m., a hearing will be held in
2 Courtroom 1545 before the Honorable Neil W. Bason, United States Bankruptcy Judge, in the United
3 States Bankruptcy Court located at 255 E. Temple Street, Los Angeles, California to consider the
4 motion of the Chapter 7 Trustee herein, Carolyn A. Dye ("Trustee"), for an order authorizing the
5 sale of the real property located at 960 N. Tigertail Road, Los Angeles, California 90049 (APN:
6 4494-006-021) ("Property") free and clear of liens and interests, and subject to higher and better
7 offers, approving overbidding procedures. The Motion is based on the following:

8 Trustee proposes to sell the Property to Allan Cline or his assignee (collectively the "Buyer")
9 for a total consideration of One Million Five Hundred Fifty Thousand Dollars (\$1,550,000). The
10 estate will pay \$62,000 in sales commissions (4%) and the usual closing costs (estimated at 2%).
11 Buyer has paid a total of Forty-Six Thousand Five Hundred Dollars (\$46,500) as a deposit into
12 escrow. Escrow is scheduled to close within fourteen (14) days of the date on which the order
13 approving the sale of the Property is entered on the Court's docket. The sale is on an "as is - where
14 is" basis and not subject to any contingencies. The overbid procedures are as follows:

15 a. Minimum Overbids. The minimum overbid for the Property shall be \$15,000 above
16 the present offer and any subsequent overbids shall be at least \$10,000 over the preceding offer.

17 b. Minimum Deposits. A minimum deposit of Sixty-One Thousand Five Hundred
18 Dollars (\$61,500), which is inclusive of the down payment of Forty-Six Thousand Five Hundred
19 Dollars (\$46,500) and the initial overbid of Fifteen Thousand Dollars (\$15,000). The overbid
20 payment shall be by cashier's check payable to "Carolyn A. Dye ATF Peta Gorshel," and must
21 accompany any overbid offer for the Property with evidence of the ability to close the transaction. In
22 the event the approved Buyer does not close the transaction, the deposit will be non-refundable if the
23 overbid is accepted and the sale does not close within fourteen (14) days of the date on which the
24 Order approving the sale of the Property is entered by the Court.

25 c. Overbidders are requested to submit to the Trustee, not later than forty-eight (48)
26 hours before the hearing date, a cashier's check for the required deposit and evidence of the ability to
27 close. The Trustee will promptly advise any proposed overbidder of any disapproval of
28 qualifications, giving the overbidder an opportunity to correct the deficiency. The Trustee holds sole

1 discretion in accepting and rejecting all overbids. In any event, the proponent of each overbid must
2 submit, not later than one hour prior to the date and time of the hearing on the sale, a cashier's check
3 for Sixty-One Thousand Five Hundred Dollars (\$61,500) and evidence of the financial ability to close
4 escrow within fourteen (14) days of submission of overbid. This evidence must at a minimum
5 include a demonstration of firm financing commitment from a recognized lender and/or sufficient
6 liquid funds on deposit, all to the satisfaction of the Trustee.

7 d. All overbids for the Property must provide for payment of the entire purchase price at
8 the close of escrow.

9 e. Any overbids shall offer to purchase the Property on a "as-is - where is" basis and
10 shall contain no conditions, contingencies or addendum in addition to those contained in the terms
11 agreed to between Trustee and Buyer and presented to this Court.

12 f. All due diligence investigations shall be conducted prior to the sale hearing.

13 g. At the conclusion of the hearing on the Motion, the Court shall determine the highest
14 and best offer for the Property, and the Trustee shall proceed to consummate the sale of the Property
15 in accordance with such offer to the highest bidder without further notice to creditors or hearing
16 before this Court.

17 h. The overbidder's deposit is non-refundable in the event that Court confirms the sale
18 but, for any reason whatsoever, the overbidder fails to close the sale timely. The overbidding party
19 will be bound by all of the terms of sale proposed in this Motion) as incorporated by reference in the
20 sales contract) except as to price, without contingencies of any kind, including financing
21 contingencies, and shall close the escrow no more than fourteen (14) days after the entry of the order
22 approving the Motion.

23 i. The Trustee also proposes that the Court confirm a backup buyer so that, in the event
24 that the successful overbidder does not close within fourteen (14) days after the entry of the order
25 approving the Motion, the Trustee may retain the deposit of the original successful buyer as
26 liquidated damages and sell the Property to the back-up buyer for the amount of such backup last bid.

27 j. The Trustee also seeks a ruling that the party to whom the Court confirms the sale and
28 any backup buyers are good faith purchasers for purposes of 11 U.S.C. §363(m).

1 You may request a complete copy of this Motion from

2 Christian T. Kim
3 DUMAS & KIM, APC
4 3435 Wilshire Blvd., Ste. 990
5 Los Angeles, CA 90010

6 A complete copy of the Motion is also on file with the Clerk of the Court and may be viewed
7 at the United States Bankruptcy Court, 255 E. Temple Street, Rom 940, Los Angeles, CA 90012.

8 **PLEASE TAKE FURTHER NOTICE** that any objection to the Motion or the proposed sale
9 must be made in writing and filed with the Court no later than fourteen (14) days prior to the hearing
10 in conformity with Local Bankruptcy Rule 9013-1(f), and consist of a written statement of all reasons
11 in opposition, an answering Memorandum of Points and Authorities, declarations, and documentary
12 evidence on which the responding party intends to rely.

13 **PLEASE TAKE FURTHER NOTICE** that pursuant to Local Bankruptcy Rule 9013(h), any
14 objection not timely filed and served may be deemed by the Court to be consent to the relief
15 requested and may result in the Court's issuance of an order without further notice or hearing.

16 Dated: December 13, 2019

DUMAS & KIM, APC

17 By: 
18

19 Christian T. Kim, Attorneys for Chapter 7
20 Trustee, Carolyn A. Dye
21

22 Date of Mailed Service: December 13, 2019
23
24
25
26
27
28

In re: PETA ELIZABETH GORSHEL

CHAPTER: 7

CASE NUMBER: 2:18-bk-12716-NB

Debtor(s).

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 3435 Wilshire Blvd., Ste. 990, Los Angeles, CA 90010.

A true and correct copy of the foregoing document entitled (specify): Notice of Trustee's Motion for Order Authorizing Sale of Real Property of the Estate [960 N. Tigertail Road, Los Angeles, CA 90049] Free and Clear of Liens and Interests, Subject to Higher and Better Offers, and Approving Overbidding Procedures will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) December 13, 2019, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Michael Jay Berger michael.berger@bankruptcypower.com, yathida.nipha@bankruptcypower.com;
michael.berger@ecf.inforuptcy.com
Harris L Cohen hcohen00@aol.com
James A Dumas jdumas@dumas-law.com, jdumas@ecf.inforuptcy.com
Carolyn A Dye (TR) trustee@cadye.com, cdye@ecf.axosfs.com;atty@cadye.com
David S Hagen go4broq@earthlink.net
Merdaud Jafarnia bknotice@mccarthyholthus.com, mjaafarnia@ecf.inforuptcy.com
Kelly M Kaufmann bknotice@mccarthyholthus.com, kraftery@ecf.courtdrive.com
Christian T Kim ckim@dumas-law.com, ckim@ecf.inforuptcy.com
Dare Law dare.law@usdoj.gov
Natalie E Lea Natalie.Lea@Bonialpc.com
David B Rao becky@binderalter.com

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (date) December 13, 2019, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) December 13, 2019, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

United States Bankruptcy Court
Central District of California Honorable Neil W. Bason
Edward R. Roybal Federal Building and Courthouse
255 E. Temple Street, Suite 1552 / Courtroom 1545
Los Angeles, CA 90012

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

December 13, 2019

Danielle M. Landeros

/s/ Danielle M. Landeros

Date

Printed Name

Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

In re: PETA ELIZABETH GORSHEL

CHAPTER: 7

Debtor(s).

CASE NUMBER: 2:18-bk-12716-NB

TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) **December 13, 2019**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below

Cassandra J Richey cdcaecf@bdfgroup.com
Jolene Tanner jolene.tanner@usdoj.gov, USACAC.criminal@usdoj.gov
Edward A Treder cdcaecf@bdfgroup.com
United States Trustee (LA) ustpregion16.la.ecf@usdoj.gov

2. SERVED BY UNITED STATES MAIL:

On (date) **December 13, 2019**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Amir Rejaei
1022 N. Tigertail Road
Los Angeles, CA 90049

Ropers, Majeski, Kohn & Bentley, P.C.
Attn: Ivan I. Tjoe
445 South Figueroa Street Suite 3000
Los Angeles, CA 90071

Wells Fargo Bank, N.A.
f/k/a First Interstate Bank of California
OFFICE OF THE SECRETARY,
633 WEST FIFTH STREET, T7-10
LOS ANGELES CA 90071

Wells Fargo Bank, N.A.
f/k/a First Interstate Bank of California
28 LIBERTY ST
NEW YORK NY 10005

Wells Fargo Bank, N.A.
f/k/a First Interstate Bank of California
251 LITTLE FALLS DRIVE
WILMINGTON DE 19808

Specialized Loan Servicing LLC
8742 Lucent Blvd, Suite 300
Highlands Ranch, Colorado 80129

Barrett, Daffin, Frappier, Tredier & Weiss, LLP
4004 Belt Line Road, Suite 100
Addison, Texas 75001-4320

Peta Gorschel/William Samoska
960 N. Tigertail Road
Los Angeles, CA 90049

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

Label Matrix for local noticing
0973-2
Case 2:18-bk-12716-NB
Central District of California
Los Angeles
Fri Dec 13 10:07:34 PST 2019

LEA Accountancy
3435 Wilshire Blvd.,
Suite 990
Los Angeles, CA 90010-1998

Strategic Acquisitions, Inc.
27489 Agoura Road, STE 102
Agoura Hills
Agoura Hills, Ca 91376 United States 91301-2481

Afni, Inc.
Po Box 3097
Bloomington, IL 61702-3097

Cedars Sinai
1801 West Olympic Blvdw
Pasadena, CA 91199-0001

Cmre. 877-572-7555
3075 E Imperial Hwy Ste
Brea, CA 92821-6733

Enhanced Recovery Co
8014 Bayberry Rd
Jacksonville, FL 32256-7412

Harris L. Cohen,
5305 Andasol Ave
Encino, CA 91316-2504

Mark Neiman
10790 Wilshire Blvdw Ste.
Los Angeles, CA 90024

Milton Williams
c/o Wells Fargo Bank
1100 Corporate Center Dr.
Raleigh, NC 27607-5066

DLJ Mortgage Capital, Inc.
c/o McCarthy & Holthus, LLP
411 Ivy Street
San Diego, CA 92101-2108

Ropers, Majeski, Kohn & Bentley PC
c/o Binder & Malter, LLP
2775 Park Avenue
Santa Clara, CA 95050-6004

UNITED STATES OF AMERICA on behalf of the IN
U.S. Attorney's Office - Tax Divisi
300 N. Los Angeles St., Room 7211
Attn: Jolene Tanner
Los Angeles, CA 90012-3342

Amex
P.O. Box 981537
El Paso, TX 79998-1537

City of Los Angeles
200 N. Main St. Rm 1620
Los Angeles, CA 90012

DLJ Mortgage Capital, Inc.
c/o Select Portfolio Servicing, Inc.
P.O. Box 65250
Salt Lake City, UT 84165-0250

Franchise Tax Board
Bankruptcy Section MS: A-340
PO Box 2952
Sacramento, CA 95812-2952

IRS
P.O. Box 7346
Philadelphia, PA 19101-7346

Mci
Po Box 650584
Dallas TX 75265-0584

Paypal
2211 North First St.
San Jose, CA 95131-2021

Dumas & Kim, APC
3435 Wilshire Blvd., Ste. 990
Los Angeles, CA 90010-1998

SPECIALIZED LOAN SERVICING LLC
8742 Lucent Blvd, Suite 300
Highlands Ranch, CO 80129-2386

Los Angeles Division
255 East Temple Street,
Los Angeles, CA 90012-3332

Byrne & Nixon
888 West 6th St Ste 1100
Los Angeles, CA 90017-2739

City of Los Angeles Fire Dept.
1800 N. Bronson Ave
Los Angeles, CA 90028-5420

David Rao
c/o Binder & Malter
2775 Park Ave
Santa Clara, CA 95050-6004

Guthy-Renker LLC
100 N. Sepulveda Blvdw #1600
El Segundo, CA 90245

Internal Revenue Service
300 N. Los Angeles St STOP 5022
Los Angeles, CA 90012-3478

Michael Jay Berger
Law Offices of Michael Jay Berger
9454 Wilshire Boulevard, 6th floor
Beverly Hills, CA 90212-2937

Quinn Pacific
1007 Broxton Ave
Los Angeles, CA 90024-2803

Ropers Majeski
1001 Marshall St. Ste. 500
Redwood City, CA 94063-2054

Select Portfolio Servicing
Po Box 65250
Salt Lake City, UT 84165-0250

Sequoia Financial Svcs
28632 Roadside Dr Ste 11
Agoura Hills, CA 91301-6064

Specialized Loan Servicing LLC
8742 Lucent Blvd, Suite 300
Highlands Ranch, Colorado 80129-2386

Strategic Acquisitions, Inc.
27489 Agoura Rd.
Agoura Hills, CA 91301-2481

Strategic Acquisitions, Inc.
27489 Agoura Rd., 2nd Fl.
Agoura, CA 91301-2481

Tiffany & Bosco
Attn: Megan E. Lees
1230 Columbia St. , Ste. 680
San Diego, CA 92101-8502

U.S. Bank National Association, as Trustee
c/o Wells Fargo Bank, N.A. as servicer
Attn: Default Document Processing
1000 Blue Gentian Road, N9286-01Y
Eagan MN 55121-7700

UCLA Health
PO Box 64460
Los Angeles, ca 90064-0460

United States Trustee (LA)
915 Wilshire Blvd, Suite 1850
Los Angeles, CA 90017-3560

University Foot & Ankle Institute
2121 Wilshire Blvd.
Santa Monica, CA 90403-5742

Verizon Wireless
Po Box 650051
Dallas, TX 75265-0051

Wells Fargo Bank
MAC N9286-01Y
1000 Blue Gentian Rd.
Saint Paul, MN 55121-1663

(p)WELLS FARGO BANK NA
WELLS FARGO HOME MORTGAGE AMERICAS SERVICING
ATTN BANKRUPTCY DEPT MAC X7801-014
3476 STATEVIEW BLVD
FORT MILL SC 29715-7203

Carolyn A Dye (TR)
Law Offices of Carolyn Dye
3435 Wilshire Blvd, Suite 990
Los Angeles, CA 90010-1998

Christian T Kim
Dumas & Assoc
3435 Wilshire Blvd Ste 990
Los Angeles, CA 90010-1998

David S Hagen
16830 Ventura Blvd #500
Encino, CA 91436-1795

Peta Elizabeth Gorshel
960 N. Tigertail Rd.
Los Angeles, CA 90049-1419

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Wells Fargo Hm Mortgag
8480 Stagecoach Cir
Frederick, MD 21701

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Courtesy NEF

(d)LEA Accountancy, LLP
3435 Wilshire Boulevard
Suite 990
Los Angeles, CA 90010-1998

(u)U.S. Bank National Association

(u)Jennifer Min Liu

(d)Michael Jay Berger
The Law Offices of Michael Jay Berger
9454 Wilshire Blvd.
6th Floor
Beverly Hills, CA 90212-2937

End of Label Matrix	
Mailable recipients	47
Bypassed recipients	5
Total	52